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CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTION OF: FREEDOM OF EXPRESSION

Written statement submitted by the Organization for Defending Victims of Violence, a non-government organization in special consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[26 February 1999]

GE.99-11418 (E)

Violence and intolerance: a threat against freedom of expression

1. Freedom is one of the most fundamental human rights. Among the various kinds of freedom, "individual freedom" is the most important and among the individual freedoms, the "freedom of expression" is the most necessary for achieving the human dignity. Freedom of expression means that everyone is free to choose and may have any kind of thought or belief. It should be said that freedom of expression and freedom of thought are interrelated. John Stuart Mill, in his thesis entitled "The Freedom", emphasized the relationship between these two freedoms, both of which are indispensable.

2. Islam, like any other religion, is considered to be the best religion in its followers' view. Islam respects peoples' freedom to choose or not to choose this religion and doesn't force anybody to follow it. One of the verses of the Quran in the second Surah (v.256) says: "There is no obligation in accepting Islam". In an attempt to interpret this verse, Allameh Tabatabaei, in his book entitled The Scale (Tafsir-e Almizan), says: "Believing in Islam is not obligatory". He also notes, in The Islamic Research, that nobody is obliged to accept Islam, since any obligation leads to a failure in this matter. Ayatollah Motahari, in one of his books entitled About the Islamic Republic, says: "Belief is a spiritual decision. It will be destroyed when people lose their inclination towards such belief (...). To make anyone believe in God will be possible only in a free and instructing atmosphere, not under constraint conditions, since certain concepts like belief and kindness cannot be imposed on any individual".

3. Among the various eras of Iran's history, there are four periods in which freedom of expression and freedom of thought have found a better situation in the society. The first period relates to the Constitutionalism movement. The second period belongs to the 1920s which began with Reza Pahlavi's exile and continued with the 19 August coup against the national Government in Iran. The third period pertains to the early years of the post-Revolution period which continued until the outbreak of the war and the activities of terrorist groups such as mujahedin organization. The fourth period has begin with the reformists' coming to power in the Khatami Government.

4. Looking for an appropriate answer to the question of which factors have limited the freedoms of expression and thought, it should be said that there are several parameters in this regard. These include the absence of civil society institutions, misjudgements, lack of political will, lack of institutionalized freedom of thought and expression, lack of a culture of tolerance, and the existence of certain groups which assume themselves to be absolutely right. Among the different causes of intolerance, the existence of violence and violence seekers have the main role in limiting social and individual freedoms.

5. During the Constitutionalism movement in Iran, the violence committed by the forces of Reza Pahlavi caused violations of the people's freedom. In the 1940s, the occurrence of the August coup, followed by brutal violence, caused freedom to be limited. In the third era, aside from the external factor (the Iran-Iraq war), a strategy of terrorism by certain internal groups which violated the public security gave the appropriate excuse to the ruling

power to limit freedom in the name of protecting national security. In the new era, while the reformists have come to power, we are still witnessing that those groups, which find the free atmosphere contrary to their goals, have increased their violent activities. Some of them have attacked the press and the reformists, and even murdered them. Others still insist on resorting to terroristic activities. The present violence-seeking groups and individuals, although heterogenous, are following the same goal, that is, in fact, uprooting the freedoms in Iran.

6. The Organization for Defending Victims of Violence (ODVV) considers all kinds of violence committed by any group or individual a threat to freedom and condemns them all. The ODVV calls upon all people who respect human rights to limit violent and terrorist behaviour by condemning it. The Organization, while calling on the Commission to plan certain appropriate mechanisms to remove all the obstacles in the way of the realization of the freedom of expression in various societies, would like to stress the fact that today the most serious threat to the freedoms of expression and thought is violence and terrorism.